REMARKS

Claims 1-5, 7-11, and 13-14 are pending in the application. In the Final Office Action of January 25, 2005, the Examiner rejected claims 1-5, 7-11, and 13-14 under 35 U.S.C. §103(a) as being unpatentable over *Olsen* in view of *Uchenick*. Applicant respectfully traverses the rejection and addresses the Examiner's disposition below.

Claims 5 and 11 have been canceled.

Independent claims 1, 7, 13 and 14, each as amended, each claim a first information stored inside a software. An encoded second or third information is transmitted/received for matching against the first information each time the user uses the software. The software is enabled when the information match.

This is clearly unlike *Olsen* in view of *Uchenick*. The Examiner argues that *Olsen* teaches "the step of configuring the software such that processing for controlling said software use is performed each time said software user uses said software (col. 8 lines 28-42)." (Office Action of 1/25/05, page 5). However, that passage from *Olsen* does not state what the Examiner says it does. Instead, that passage states that an administrator may assign a license to an individual, machine, group, container, or other selected users. (*Olsen* 8:29-31). The assignments are additive such that multiple parties can be given the same assignment. (*Olsen* 8:33-35). Further, assignments can be removed one at a time. (*Olsen* 8:35-37). Contrary to the Examiner's assertion, nowhere in that passage from *Olsen*, nor anywhere in *Olsen*, does *Olsen* even suggest that an encoded information is transmitted/received for matching against a first information each time a user uses a software. Instead, *Olsen* merely describes transmitting an application program and a license once to a user. (*Olsen* 10:12-26).

As acknowledged by the Examiner, *Uchenick* fails to disclose transmitting encoded information to a user, but instead provides a hardware key.

Thus, unlike claims 1, 7, 13, and 14, *Olsen* in view of *Uchenick* fails to disclose or suggest an encoded information that is transmitted/received for matching against a first information each time a user uses a software.
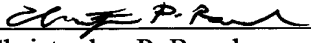
Claims 2-4 and 7-10 depend directly or indirectly from claims 1 or 7 and are therefore allowable for at least the same reasons that claims 1 and 7 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.
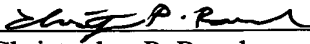
CONCLUSION

In view of the foregoing, it is submitted that claims 1-4, 7-10, and 13-14 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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